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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/897,237	07/02/2001	Mika Munenaka	09792909-5086	8226

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EXAMINER

AILES, BENJAMIN A

ART UNIT	PAPER NUMBER
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2142

DATE MAILED: 05/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/897,237

Applicant(s)

MUNENAKA ET AL.

Examiner

Benjamin A. Ailes

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 January 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. Amendment "A", received on 21 January 2005, has been entered.
2. Claims 1-27 are pending.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1-27 are rejected under 35 U.S.C. 102(e) as being anticipated by Angles et al. (U.S. Patent Number 5,933,811), hereinafter referred to as Angles et al.
2. Regarding claims 1, 10, and 19, Angles et al. disclose a content managing system comprising:
 - A content library for storing files of a plurality of contents provided by a content provider (col. 12, lines 13-26 and col. 13, lines 21-34);
 - Library managing means for managing said content library (col. 12, lines 51-60);
 - Customer file storing means for storing the file of a content of each user to an area assigned to each user (col. 8, lines 10-13, and Fig. 5, part 508); and
 - Customer file managing means for managing said customer file storing means (col. 11, lines 50-65),

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- Wherein said content managing portion and a terminal unit of a user are connected through a network (Fig. 1 and col. 9, lines 4-19), and
- Wherein said content managing portion is operated by a terminal unit of a user... (Fig. 4 and col. 10, lines 20-32 and lines 43-59).

3. Regarding claims 2, 11, and 20, in accordance with claims 1, 10, and 19, respectively, Angles et al. disclose the contents of the content managing system being advertisements (col. 2, lines 49-51).

4. Regarding claims 3, 12, and 21, in accordance with claims 1, 10, and 19, respectively, Angles et al. disclose a content managing system wherein the content provider can freely change, replace, and delete the file of a content provided to said content library (col. 13, lines 21-23 and col. 15, lines 20-42).

5. Regarding claims 4, 13, and 22, in accordance with claims 1, 10, and 19, respectively, Angles et al. disclose the content managing system wherein the content managing portion counts the number of users who copied or linked the contents to their user areas and creates a database containing the counted values (col. 15, line 65 – col. 16, line 7).

6. Regarding claims 5, 14, and 23, in accordance with claims 1, 10, and 19, respectively, Angles et al. disclose the content managing system wherein said content managing portion counts the number of male users and the number of female users who copied their contents to their user areas and creates a database containing the counted values (col. 4, lines 17-20 and col. 14, lines 19-23).

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7. Regarding claims 6, 15, and 24, in accordance with claims 1, 10, and 19, respectively, Angles et al. disclose the content managing system wherein said content managing portion counts the number of users in each age group who copied their contents to their user areas and creates a database containing the counted values (col. 4, lines 17-20 and col. 14, lines 19-23).

8. Regarding claims 7, 16, and 25, in accordance with claims 1, 10, and 19, respectively, Angles et al. disclose the content managing system wherein said content managing portion counts the number of clicks of each content copied or linked to each user area and creates a database containing the counted values (col. 15, line 65 – col. 16, line 7).

9. Regarding claims 8, 17, and 26, in accordance with claims 1, 10, and 19, respectively, Angles et al. disclose the content managing system wherein said content managing portion counts the clicked date and time of each content copied or linked to each user area and creates a database containing the counted values (col. 15, line 65 – col. 16, line 7).

10. Regarding claims 9, 18, and 27, in accordance with claims 1, 10, and 19, respectively, Angles et al. disclose the content managing system wherein said content managing portion counts the period for which each content was stored or linked in each user area and creates a database containing the counted values (col. 15, line 65 - col. 16, line 7).

Response to Arguments

11. Applicant's arguments filed 21 January 2005 have been fully considered but they are not persuasive.

a. Applicant argues the applied teaching do not disclose "storing the file of a content of each user to an area assigned to each user." See Response, Amendment A, Paper #7, Pages 7-8. Addressing this argument, Examiner notes:

i. Angles, Column 8, lines 10-13, and Figure 5, part 508, where stated "The advertisement provider computer 18 obtains the consumer member code 22 and uses the consumer's member code 22 to access the consumer's profile in a demographic database..." Thus, the database is utilized to store the file of a content of each user, the database, as is known in the art, when used, keeps accurate records of database contents in an organized fashion, so it would inherently have space assigned for each file kept in relation to a user.

Conclusion

12. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any


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extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Benjamin A Ailes whose telephone number is (571)272-3899. The examiner can normally be reached on M-F 7:30-5, First Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on (571)272-3880. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


KAMINI SHAH
PRIMARY EXAMINER

Benjamin Ailes
Art Unit 2142
Patent Examiner